

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lori et al. )  
 Serial No. : 08/245,259 )  
 Filed : May 17, 1994 )  
 Title : NEW PROCEDURE TO BLOCK THE )  
           REPLICATION OF REVERSE )  
           TRANSCRIPTASE DEPENDENT VIRUSES )  
           BY THE USE OF INHIBITORS OF )  
           DEOXYNUCLEOTIDES SYNTHESIS )  
 Art Unit : 1802 )  
 Examiner : Unknown )

POWER OF ATTORNEY BY ASSIGNEE UNDER 37 C.F.R. § 3.73(b)  
 AND  
 EXCLUSION OF INVENTOR UNDER 37 C.F.R. § 3.71

Hon. Commissioner of Patents  
 and Trademarks  
 Washington, D.C. 20231

Dear Sir or Madam:

The United States Department of Health and Human Services is assignee of the entire right, title and interest in and to the above-identified application, as shown by the assignment recorded on July 22, 1994, at Reel 7062, Frame 0601, in the patent assignment records of the U.S. Patent and Trademark Office. This recorded Assignment has been reviewed by the undersigned, who certifies that, to the best of his or her knowledge and belief, title is in the assignee.

Said assignee hereby appoints the following attorneys and agents as its representatives:

James C. Haight, 25,588; Gloria Richmond, 30,416; David R. Sadowski, 32,808; Robert Benson, 33,612; Jack Spiegel, 34,477; Laurence J. Hyman, 35,551; Susan S. Rucker, 35,762; Denise Bernstein, 35,787; Ann Hobbs, 36,830; and Arthur J. Cohn, 37,800.

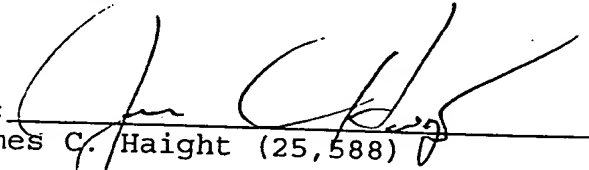
Said appointment is to the exclusion of the inventor(s) and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Serial No. : 08/245,259  
Filed : May 17, 1994

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for such patent matters under the authority of the Department of Health and Human Services Secretary Louis W. Sullivan's May 21, 1991 memorandum appearing in the Friday, June 7, 1991 Federal Register Notices at Vol. 56, No. 110, pp. 26418-26419. The undersigned is authorized to exercise such authority in this matter.

Done on this 11 day of November, 1994, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

By:   
James C. Haight (25,588)

for: Donald P. Christoferson  
Acting Director  
Office of Technology Transfer  
National Institutes of Health  
6011 Executive Boulevard  
Rockville, MD 20852  
Telephone (301) 496-7056  
Facsimile (301) 402-0220

DEA-6182:kw  
100494

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THE USE OF INHIBITORS OF )  
DEOXYNUCLEOTIDES SYNTHESIS )  
Art Unit : 1802 )  
Examiner : Unknown )

## ASSOCIATE POWER OF ATTORNEY

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Dear Sir or Madam:

The undersigned attorney of record, pursuant to the provisions of 37 C.F.R. §§ 1.33 and 1.34, and M.P.E.P. § 402.02, hereby appoints the following representatives of the firm of Knobbe, Martens, Olson & Bear as associate attorneys in this application:

Ned A. Israelsen, Reg. No. 29,655; Gerard von Hoffmann, Reg. No. 33,043; Daniel E. Altman, Reg. No. 34,115; Andrew H. Simpson, Reg. No. 31,469; Anita M. Kirkpatrick, Reg. No. 32,617; Michael L. Fuller, Reg. No. 36,516; Myra H. McCormack, Reg. No. 36,602; Michael F. Fedrick, Reg. No. 36,799; Nancy Ways Vensko, Reg. No. 36,298; and AnneMarie Kaiser, Reg. No. 37,649, of the law firm of Knobbe, Martens, Olson and Bear.

Respectfully submitted,

*Robert Benson*

Printed Name: Robert Benson  
Registration No. 33,612  
National Institutes of Health  
Office of Technology Transfer  
Box OTT  
Bethesda, MD 20892-9902  
Telephone (301) 496-7056  
Facsimile (301) 402-0220

Dated: Dec 15, 1994  
DHHS CASE NO. E-157-93  
DEA-6510:kw/121494

NI 4061.001CP1

NAI/NSB

2883

DATE: 08/11/94

TO:



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

N08B

KNOBBE, MARTENS, OLSON & BEAR

DANIEL E. ALTMAN

620 NEWPORT CENTER DRIVE, SIXTEENTH FLR.

NEWPORT BEACH, CALIFORNIA 92660

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

jc564 U.S. PTO  
09/756411  
01/08/01

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR:  
LORI, FRANCO

DOC DATE: 01/15/94

ASSIGNOR:  
CARA, ANDREA

DOC DATE: 01/15/94

ASSIGNOR:  
GAO, WEN-YI

DOC DATE: 01/15/94

ASSIGNOR:  
GALLO, ROBERT C.

DOC DATE: 01/07/94

RECORDATION DATE: 07/22/94 NUMBER OF PAGES 004 REEL/FRAME 7062/0601

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:

UNITED STATES OF AMERICA, THE, AS REPRESENTED BY THE  
SECRETARY, DEPT. OF HEALTH AND HUMAN SERVICES  
6011 EXECUTIVE BOULEVARD  
ROCKVILLE, MARYLAND 20592

SERIAL NUMBER 8-245259  
PATENT NUMBER

FILING DATE 05/17/94  
ISSUE DATE 00/00/00

DOCKETED ON:	SEP 02 1994
BY: <u>NAI</u>	VERIFIED BY: <u>NSB</u>
ACTION:	—
DUE DATE:	—
FINAL DEADLINE:	—
ATTY:	<u>NAI</u> / <u>NSB</u>
ATTORNEY VERIFICATION OF DUE DATE AND FINAL DEADLINE: _____	

*Nicola Scott*  
EXAMINER/PARALEGAL  
ASSIGNMENT BRANCH  
ASSIGNMENT/CERTIFICATION SERVICES DIVISION



TU-501  
RECORDATION FORM COVER SHEET  
PATENTS ONLY

1

TO THE HONORABLE COMMISSIONER OF PATENTS AND TRADEMARKS: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1. Franco Lori; 2. Andrea Cara;  
3. Wen-Yi Gao; 4. Robert C. Gallo

Additional name(s) of conveying party(ies) attached?  
( ) Yes (X) No

2. Name and address of receiving party(ies):

Name: The Government of the United States  
Internal Address: represented by the Secretary, Dept. of  
Health and Human Services  
Street Address: 6011 Executive Blvd.  
City: Rockville State: MD ZIP: 20592

Additional name(s) of receiving party(ies) attached?  
( ) Yes (X) No

3. Nature of conveyance: 19

- (X) Assignment  
( ) Merger  
( ) Security Agreement  
( ) Change of Name  
( ) Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. 1/15/94; 2. 1/15/94  
3. 1/15/94; 4. 1/7/94

4. Application number(s) or Patent number(s)

( ) Application(s) filed herewith Execution Date

(X) Patent Application Serial No. 08/245,259  
Filing Date: May 17, 1994

( ) Patent No.:  
Issue Date:

Additional numbers attached? ( ) Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Daniel E. Altman  
KNOBBE, MARTENS, OLSON & BEAR  
Internal Address: Sixteenth Floor  
Street Address: 620 Newport Center Drive  
City: Newport Beach State: CA ZIP: 92660  
Attorney's Docket No.: NIH061.001CP1

7. Total fee (37 CFR 3.41): \$40

- (X) Enclosed  
( ) Authorized to be charged to deposit account

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

(Attach duplicate copy of this page if paying by deposit account.)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Daniel E. Altman 34,115  
Name of Person Signing

Daniel Altman  
Signature

July 19, 1994  
Date

Total number of pages including cover sheet, attachments and document: 4 - 10

Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks  
Box Assignments  
Washington, D.C. 20231

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ASSIGNMENT

WHEREAS, we, Franco Lori, an Italian citizen, residing at 4977 Battery Lane, Bethesda, MD 20814; Andrea Cara, an Italian citizen, residing at 5804 Stillwell Road, Rockville, MD 20851; Wen-Yi Gao, a Chinese citizen, residing at 12907 Crookston Lane, Apt. 34, Rockville, MD 20851; and Robert C. Gallo, an United States of American citizen, residing at 8513 Thornden Terrace, Bethesda, MD 20819, employees of the Department of Health and Human Services, have invented NEW PROCEDURE TO BLOCK THE REPLICATION OF REVERSE TRANSCRIPTASE DEPENDENT VIRUSES BY THE USE OF INHIBITORS OF DEOXYNUCLEOTIDES SYNTHESIS, for which we have made application for Letters Patent of the United States Serial No. 08/245,259, Filing Date May 17, 1994;

WHEREAS, we are the applicants named in the above-identified application for Letters Patent;

WHEREAS, the conditions under which said invention was made are such as to entitle the Government under Paragraph 1(a) of Executive Order 10096 to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States is desirous of acquiring all domestic and foreign right, title and interest in the above-mentioned invention described in the application for Letters Patent; and

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby assign and transfer to the United States of America, represented by the Secretary, Department of Health and Human Services, the full and exclusive rights in and to said invention in the U.S. and within each and every foreign country in which the Government elects to file and the entire right, title and interest in and to such applications, and any continuations, continuations-in-part, divisions, reissues or extensions thereof, and including priority rights as may be filed in the U.S. and foreign countries, and such Letters Patent as may be granted to be held by the Government to the end of the term for which the same would have been held by the inventors had this assignment not been made.

We further agree to make, execute and deliver to the Secretary, Department of Health and Human Services, upon request, any and all papers, documents, affidavits or other instruments that may be necessary in the prosecution of any application or applications for improvements or reissues of Letters Patent, and to assist the Government in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by the Government.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 15<sup>th</sup> day of July, 1994

Franco Lori

STATE OF Maryland  
COUNTY OF Montgomery ss.

On this 15<sup>th</sup> day of July, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Franco Lori, personally known to me or proven on the basis of satisfactory evidence to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Jean M. Jackson  
Notary Public in and for the aforesaid County and State  
My Commission Expires: April 1, 1997

REC 7062 FRAM 602

Client Code : NIH061.001CP1  
Serial No. : 08/245.259  
Filing Date : May 17, 1994

IN WITNESS WHEREOF, I hereunto set my hand and seal this 15<sup>th</sup> day of July, 1994

Andrea Cara  
Andrea Cara

STATE OF Maryland ]  
COUNTY OF Montgomery ] ss.

On this 15<sup>th</sup> day of July, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Andrea Cara, personally known to me or proven on the basis of satisfactory evidence to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Jean M. Jackson  
Notary Public in and for the aforesaid County and State  
My Commission Expires: April 1, 1997

IN WITNESS WHEREOF, I hereunto set my hand and seal this 15<sup>th</sup> day of July, 1994

Wen-Yi Gao  
Wen-Yi Gao

STATE OF Maryland ]  
COUNTY OF Montgomery ] ss.

On this 15<sup>th</sup> day of July, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Wen-Yi Gao, personally known to me or proven on the basis of satisfactory evidence to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Jean M. Jackson  
Notary Public in and for the aforesaid County and State  
My Commission Expires: April 1, 1997

REEL 1062 FRAME 603

Client Code : NIH061.001CPI  
Serial No. : 08/245,259  
Filing Date : May 17, 1994

IN WITNESS WHEREOF, I hereunto set my hand and seal this 7 day of July, 1994

R. Gallo  
Robert C. Gallo

STATE OF Maryland }  
COUNTY OF Montgomery } ss.

On this 7th day of July, 1994, before me, a Notary Public in and for the State and County aforesaid, personally appeared Robert C. Gallo, personally known to me or proven on the basis of satisfactory evidence to be the person of that name, who signed and sealed the foregoing instrument, and acknowledged the same to be his/her free act and deed.

Judith M. Jackson  
Notary Public in and for the aforesaid County and State  
My Commission Expires: April 1, 1997

NSB-1667

REEL 7062 FRAME 604

JUL 22 94  
RECEIVED  
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